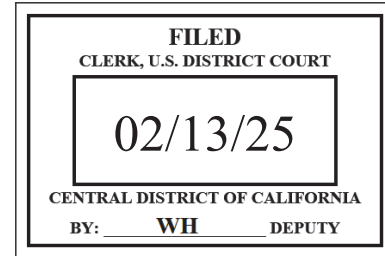


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14 UNITED STATES DISTRICT COURT
15 FOR THE CENTRAL DISTRICT OF CALIFORNIA
16 WESTERN DIVISION

17 UNITED STATES OF AMERICA *ex*
rel. [UNDER SEAL],
18 Plaintiff[s],
19
20 v.
21 [UNDER SEAL],
22 Defendant[s].

No. CV 23-4178-HDV (AGR_x)

[PROPOSED] ORDER RE NOTICE OF
THE UNITED STATES THAT IT IS
NOT INTERVENING AT THIS TIME
AND REQUESTING TO PARTIALLY
UNSEAL CASE

[LODGED UNDER SEAL PURSUANT
TO THE FALSE CLAIMS ACT, 31
U.S.C. §§ 3730(b)(2) and (3)]

[FILED CONCURRENTLY UNDER
SEAL: NOTICE OF THE UNITED
STATES THAT IT IS NOT
INTERVENING AT THIS TIME AND
REQUESTING TO PARTIALLY
UNSEAL CASE]

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14 UNITED STATES DISTRICT COURT
15 FOR THE CENTRAL DISTRICT OF CALIFORNIA
16 WESTERN DIVISION

17 UNITED STATES OF AMERICA
and the STATE OF CALIFORNIA
18 *ex rel.* LINCOLN ANALYTICS,
INC.,

19 Plaintiff,

20 v.

21 DR. FELICIANO SERRANO, and
22 FELICIANO SERRANO, M.D.,
INC.,

23 Defendants.
24
25
26
27
28

No. CV 23-4178-HDV (AGRx)

[PROPOSED] ORDER RE NOTICE OF
THE UNITED STATES THAT IT IS
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**[LODGED UNDER SEAL PURSUANT
TO THE FALSE CLAIMS ACT, 31
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[FILED CONCURRENTLY UNDER
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STATES THAT IT IS NOT
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1 The United States of America (“United States”) having filed a Notice that it is
2 not intervening at this time in the above-captioned action (the “action”) pursuant to the
3 False Claims Act, 31 U.S.C. § 3730(b)(4)(B); and having also filed a request to partially
4 unseal the case, IT IS ORDERED that:

5 1. The seal is lifted from this action in all respects, except as specified in
6 Paragraph 3 below. The Complaint is unsealed and the Relator shall serve it upon the
7 defendants;

8 2. This Order and the Notice of The United States That It Is Not Intervening
9 At This Time And Requesting to Partially Unseal Case are both unsealed, and the
10 Relator shall serve both upon the defendants with the Complaint;

11 3. All other contents of the Court’s file in this action, filed and lodged to date,
12 shall remain permanently under seal and shall not be made public or served upon any
13 defendant or other party or person;

14 4. The seal is lifted as to all papers and records filed or lodged in this action
15 after the date of this Order;

16 5. The parties shall serve all pleadings, notices, motions, orders, and other
17 papers hereafter filed or lodged in this action, including supporting memoranda and any
18 notice of appeal, upon the United States as provided for in 31 U.S.C. § 3730(c)(3); and

19 //

20 //

21 //

22 //

1 6. Should the Relator or defendants propose that this action be dismissed,
2 settled, or otherwise discontinued, the parties shall provide the United States with notice
3 of the same and the Court will provide the United States with an opportunity to be heard
4 before ruling or granting its approval.

5 IT IS SO ORDERED

6
7 DATED: 2/13/2025



UNITED STATES DISTRICT JUDGE

DECLARATION RE LACK OF NECESSITY FOR PROOF OF SERVICE

I, FRANK D. KORTUM, declare:

1. I am an Assistant United States Attorney who has been assigned responsibility for handling the above-captioned action. I am a member of the Bar of the State of California, and I have been duly admitted to appear before this Court. The following is based on my personal knowledge.

2. I have examined Federal Rule of Civil Procedure (“Rule”) 5(a), which provides as follows:

(a) Service: When Required.

(1) In General. Unless these rules provide otherwise, each of the following papers must be served on every party:

(A) an order stating that service is required;

(B) a pleading filed after the original complaint, unless the court orders otherwise under Rule 5(c) because there are numerous defendants;

(C) a discovery paper required to be served on a party, unless the court orders otherwise;

(D) a written motion, except one that may be heard ex parte; and

(E) a written notice, appearance, demand, or offer of judgment, or any similar paper.

(2) If a Party Fails to Appear. No service is required on a party who is in default for failing to appear. But a pleading that asserts a new claim for relief against such a party must be served on that party under Rule 4.

(3) Seizing Property. If an action is begun by seizing property and no person is or need be named as a defendant, any service required before the filing of an appearance, answer, or claim must be made on the person who had custody or possession of the property when it was seized.

3. The list of documents set forth in Rule 5(a)(1) does not include the document to which this Declaration is attached. The said document also is not a pleading that asserts “a new claim for relief” against any “party who is in default for failing to appear.” (Rule 5(a)(2).) Nor was the above-captioned action “begun by seizing property.” (Rule 5(a)(3).) Therefore, I believe that Rule 5(a) does not require the document to which this Declaration is attached to be served upon any party that has appeared in the above-captioned action.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 12, 2025, at Los Angeles, California.

Frank Kortum

Frank D. Kortum